

REMARKS

Claims 10-29 are presently in the application. Claims 1-9 have been canceled.

Fig. 1 of the drawings has been corrected to designate the worm gear described in para. [0021] by reference numeral 14, rather than by reference numeral 11, because reference numeral 11 is also used in Fig. 3 to designate the path 11 of the center of gravity of the container. A new Fig. 4 has been added to illustrate the subject matter of claims 22-24. In view of the preceding, withdrawal of the objection to the drawings is requested.

The examiner's indication of allowable subject matter in claims 22-24 is greatly appreciated.

Claims 18-21 have been amended to delete the "bottle-like" language. The claims now describe the objects (2) as open-ended containers. In view of the amendments, withdrawal of the rejection of claims 18-21 under 35 U.S.C. 112, second para., is requested.

Reconsideration of the rejection of claims 10-21 and 25-28 under 35 U.S.C. 102(b) as anticipated by JP 60-262710 is respectfully requested.

In JP 60-262710, three rollers or shafts 10, 20, 30 are used for transporting containers 50, 60, with one of the rollers/shafts (10) serving to prevent the containers 50, 60 from falling off the other two rollers/shafts. Applicants' claimed invention is less complicated than the apparatus described in JP 60-262710 in that only two shafts are needed to transport the objects (2). Further, in JP 60-262710, two of the shafts (20, 30) have screw grooves (21, 31) formed in the surfaces thereof. The use of screw grooves, such as shown in JP 60-262710, is disadvantageous because the screw grooves can damage the surface of the containers being transported. In contrast, the

surfaces of applicants' shafts are free of any screw grooves. This is expressed in claim 10 by the language "shafts with plane surfaces." Webster's Dictionary defines the adjective "plane" to mean "having no elevations or depressions." This feature of applicants' invention was clearly illustrated in applicants' original drawings.

Further, as best shown in applicants' Fig. 3, the radial spacing (10) and diameters (8, 9) of the respective shafts (3, 4) cooperate to provide a predeterminable angular position (β), other than zero, of the objects (2) relative to the plane which contains the axes of the shafts (3, 4). In contrast, JP 60-262710 shows in Fig. 3 that the longitudinal axis of the object (50) which is being transported is essentially parallel to the plane which contains the axes of the rollers/shafts (3, 4).

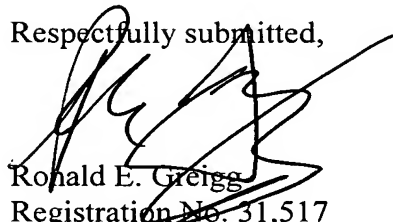
To support a rejection of a claim under 35 U.S.C. 102(b), it must be shown that each element of the claim is found, either expressly described or under principles of inherency, in a single prior art reference. See Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 772, 218 USPQ 781, 789 (Fed. Cir. 1983), cert. denied, 465 U.S. 1026 (1984).

JP 60-262710 does not teach an apparatus of the type recited in claims 10-21 and 25-28 which uses only two shafts with plane surfaces and in which the radial spacing and diameters of the respective shafts cooperate to provide a predeterminable angular position (β), other than zero, of the objects being transported relative to the plane which contains the axes of the shafts. Accordingly, claims 10-21 and 25-28 are not anticipated by JP 60-262710.

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Amdt. dated Dec. 23, 2005
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Entry of the amendment and allowance of the claims are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Greigg', is written over the typed name and registration number.

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AMENDMENTS TO THE DRAWINGS:

The two attached sheets of drawings include a change to Fig. 1 and a new Fig. 4. One sheet, which includes Figs. 1 and 2, replaces the replacement sheet including Figs. 1 and 2 filed with the preliminary amendment on February 2, 2005. In Fig. 1, the reference numeral 11 has been replaced by reference number 14. The second sheet, which includes Figs. 3 and 4, replaces the replacement sheet including Fig. 3 filed with the preliminary amendment on February 2, 2005. Fig. 4 has been added to illustrate the subject matter of claims 22-24.

Attachment: Replacement Sheets

Annotated Sheets Showing Changes



Appl. No. 10/522,950
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Annotated Sheet Showing Changes

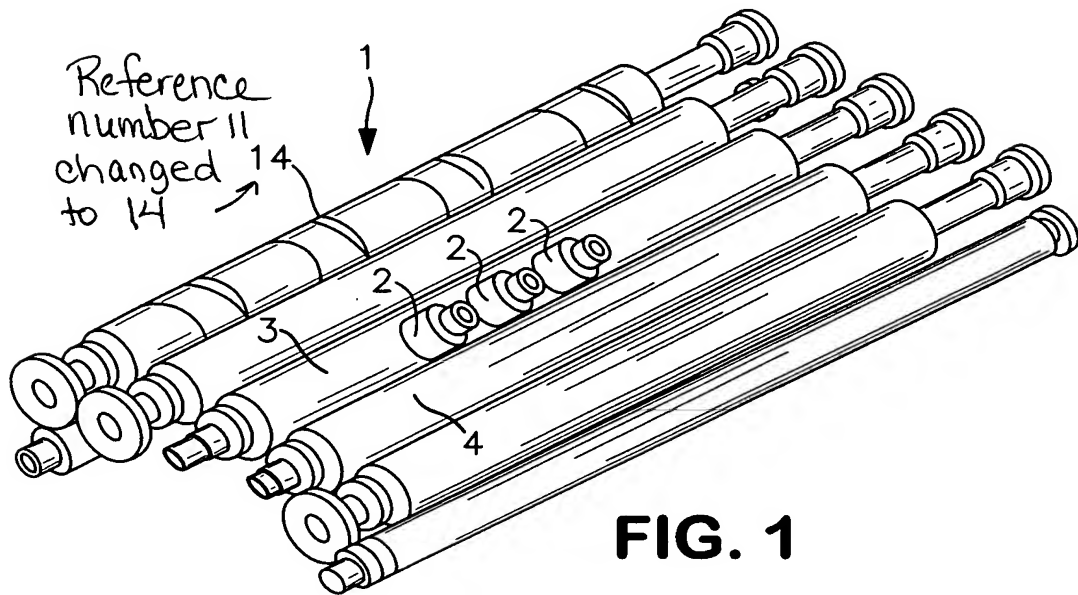


FIG. 1

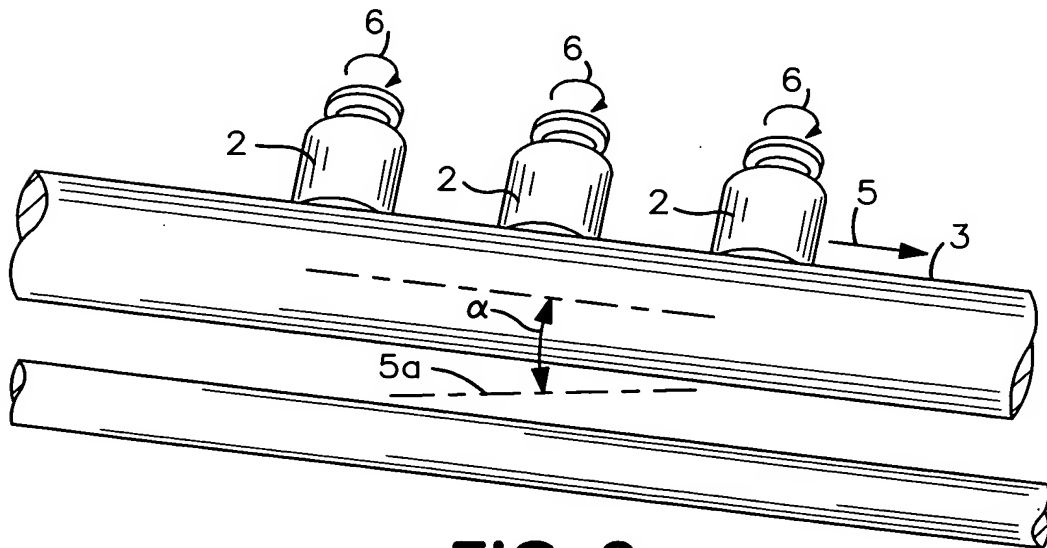


FIG. 2



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Annotated Sheet Showing Changes

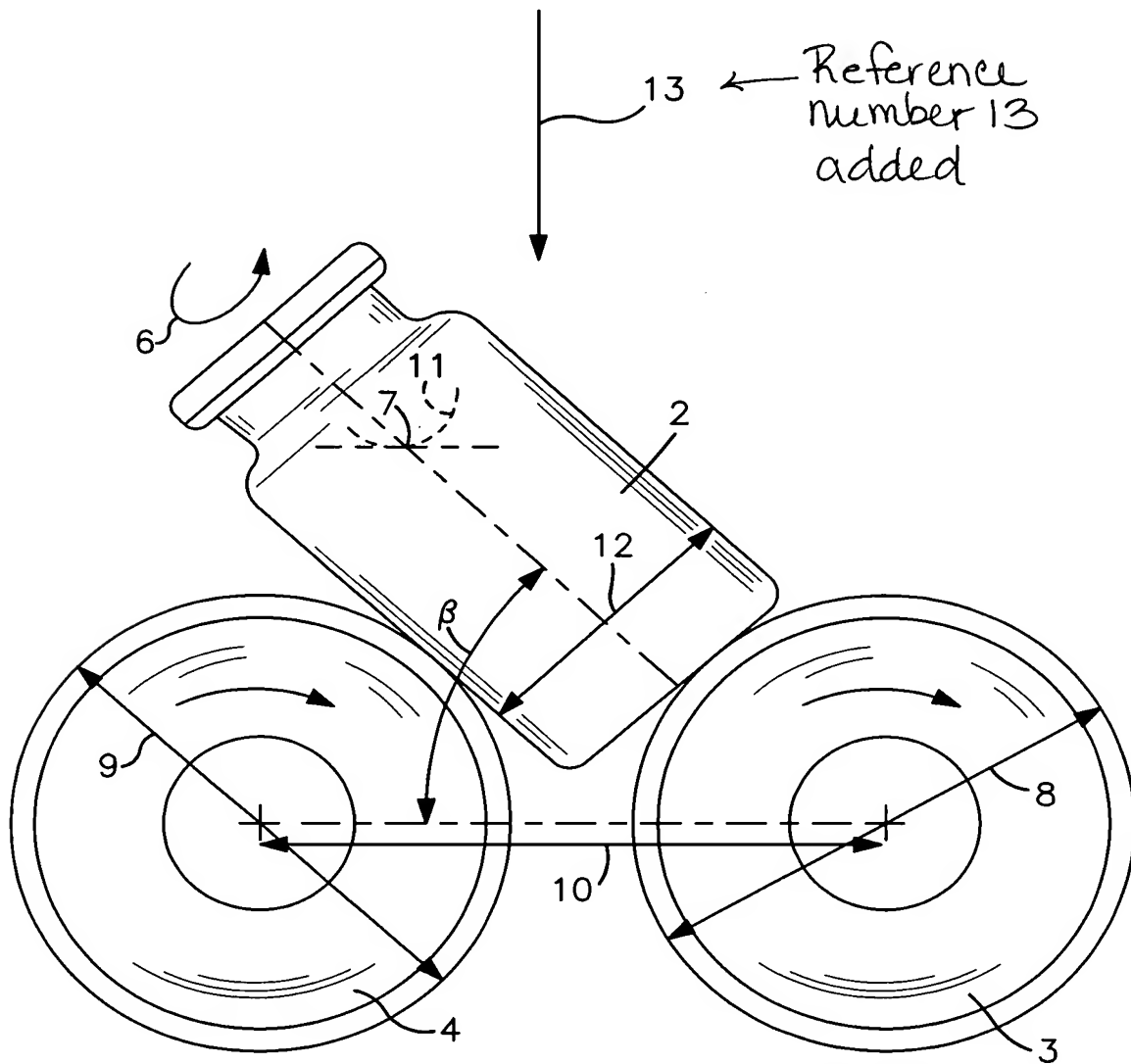


FIG. 3

New Fig. 4 added

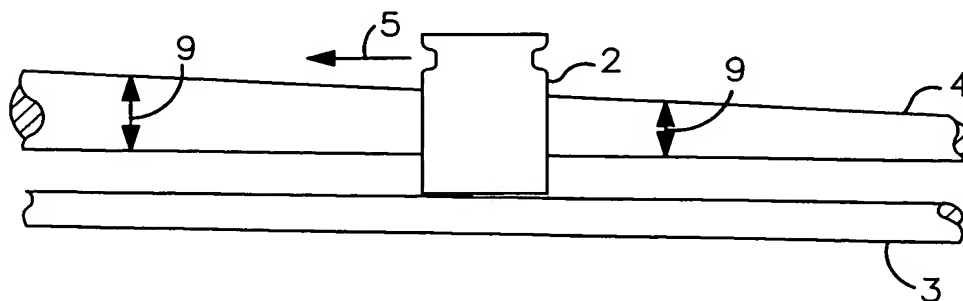


FIG. 4